

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Gerlach, et al.
SERIAL NUMBER: 09/970607 EXAMINER: Terry Alan McKelvey
FILING DATE: 10/03/2001 ART UNIT: 1636
FOR: NOVEL PROTEINS AND NUCLEIC ACIDS ENCODING SAME

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents:

1. Petition and Amendment to Correct Inventorship (2 pgs.);
2. Check # 18018 for \$130.00; and
3. Return Postcard.

The Applicant in the above-identified application is now a small entity, and is therefore entitled to claim status as a small entity. If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 542-6000, Boston, Massachusetts.

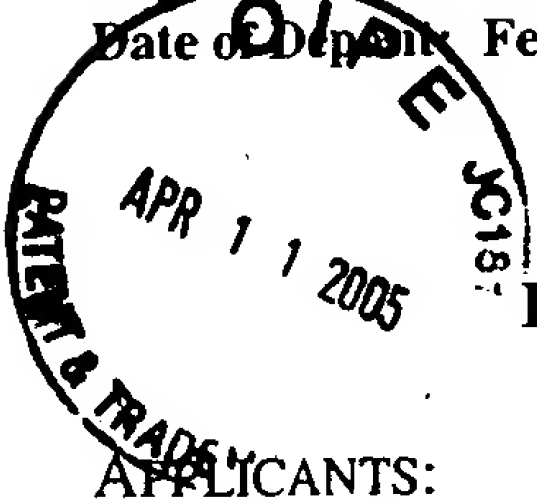
The Commissioner is hereby authorized to charge payment of any additional fees required in connection with the paper(s) transmitted herewith, or to credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 15966-675CIP2.

Respectfully submitted,

Ivor R. Elrifi, Reg. No. 39,529
Cynthia A. Kozakiewicz, Reg. No. 42,764
Attorneys for Applicant
c/o MINTZ, LEVIN
Tel: (617) 542-6000
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Customer No. 30623

Dated: February 3, 2004

COPY



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**PETITION AND AMENDMENT TO CORRECT INVENTORSHIP IN A NONPROVISIONAL
PATENT APPLICATION UNDER 37 C.F.R. §1.48(a) and (b).**

Dear Sir:

The prosecution of the above-identified nonprovisional application has resulted in the cancellation of claims so that fewer than all of the currently named inventors are the actual inventors of the invention being claimed in the instant application. Therefore, by rule 37 C.F.R. §1.48(b), Applicants submit this Amendment and Petition to correct inventorship by deleting the following name(s):

Ellerman, Karen E.;

Gerlach, Valerie L.;

Herrmann, John ;

MacDougall, John R.;

Rastelli, Luca ;

Shimkets, Richard A.;

Smithson, Glenda

Each of the above listed inventors' invention is no longer being claimed in the instant nonprovisional application.

In addition, by rule 37 C.F.R. §1.48(a), Applicants submit this Amendment and Petition to correct inventorship by adding the following name, which was not included on the application at the time of filing. This error is without deceptive intent, as he is included on the parent case, U.S.S.N. 09/783429, filed February 14, 2001. Please correct inventorship by adding the following name:

Applicants: Gerlach et al.
U.S.S.N. 09/970,607

Malyankar, Uriel M.

Applicant submits herewith the appropriate fees set forth in 37 C.F.R. §1.17(i). The Commissioner is hereby authorized to charge any additional fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311, Ref. No. 15966-675CIP2.

Should the Commissioner have any questions concerning this petition, he is invited to telephone the undersigned at the number provided.

Respectfully submitted,



Dated: February 3, 2004

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